

the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

Reid amendment No. 5290, to change the enactment date.

Reid amendment No. 5291 (to amendment No. 5290), of a perfecting nature.

Motion to recommit the bill to the Committee on Armed Services with instructions to report back forthwith, with Reid amendment No. 5292 (to the instructions of the motion to recommit), to change the enactment date.

Reid amendment No. 5293 (to the instructions of the motion to recommit to the bill), of a perfecting nature.

Reid amendment No. 5294 (to amendment No. 5293), of a perfecting nature.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

Mr. WARNER. I thank the Presiding Officer.

Mr. President, I will speak momentarily, but I wish to defer to the distinguished chairman, and I will follow him with brief remarks.

I will continue, Mr. President. I wish to say on behalf of my staff and that of the distinguished chairman, we have an old saying in the Navy: "All hands on deck." Both staffs were present throughout the weekend. I am pleased to advise the Chair and other Senators following this proceeding that we have put together a significant package of amendments on which we use the phrase around here "both sides of the aisle agreed upon." But I will leave it to the chairman to address that issue.

I believe I am under the instruction of my Republican leader at this time that I am not able to agree to a UC request. But I do hope that can be resolved very quickly and that we can move to that package and receive such other amendments as Senators may wish to call up. There are some 250 pending at the desk and at such time the chairman and I are ready to work with Members on trying to resolve those amendments or otherwise have votes. I know a number of amendments are pending that will require votes.

The ACTING PRESIDENT pro tempore. The Senator from Michigan, the chairman of the committee.

Mr. LEVIN. Mr. President, I thank my friend from Virginia. First, we have, I think, about 50 or more amendments that our staffs have worked very hard on and we have been consulted on, obviously, which we will be able to vote on hopefully today, if possible, and if not, as soon as we get clearance from Senator WARNER's side, we will be happy to proceed with them. We are going to keep working on additional amendments.

In the meantime, we are together working to try to come up with a unanimous consent request which can get the approval of this body. We need Members to come to the floor to try to work with us on those amendments. Where rollcalls are going to be necessary, we can fit them in at sometime prior, hopefully, to the vote on cloture.

As the leader said, we need to have a unanimous consent agreement in hand prior to that cloture vote for the sake of the body.

I worry a great deal about the future of our bill. I say "our bill" because this is a bipartisan bill. This is not a partisan committee, and it is not a partisan bill. I worry about what is going to happen to our bill if we cannot either get a unanimous consent agreement or cloture tomorrow—one or the other.

We will continue to be here this afternoon. Hopefully, colleagues will come to the floor and work with us and our staffs to either work out amendments or, if rollcalls are necessary, to find a spot for those rollcalls to take place.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

Mr. BOND. Mr. President, I begin by commending the chairman and the ranking member on working very hard on an extremely important bill. I rise in my position as the vice chairman of the Intelligence Committee to ask consent that we be able to add an amendment which deals with the intelligence portion of the Defense authorization and appropriations bills that I feel must be addressed.

I ask unanimous consent to set aside the pending amendments and call up amendment No. 5387.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. LEVIN. I object, Mr. President.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. BOND. Mr. President, I am not surprised. I am disappointed that my effort to simply call up one of seven amendments I filed to the Defense authorization bill is being denied. Our very distinguished, articulate majority leader has said it is not his fault if people can't get votes. I should note that he has filled up the tree, a procedural move that denies a vote on any non-majority leader-approved amendment.

I now will explain why I think these provisions are vitally important. These are measures that have been dealt with and approved by this body and the other body in some instances, by this body in some instances, and by the Intelligence Committee in other times.

The amendment I tried to call up, as well as the other six I filed, is important not only for the intelligence community but for congressional oversight as we continue to fight this war on terror.

Unfortunately, for reasons that make no sense to me, I have been informed there is a desire not to entertain any amendments relating to the intelligence community on the bill. We have seen from the 9/11 Commission and most other observers of the legislative process that the one area of the 9/11 Commission recommendations, on a bipartisan basis, that has not been adopted has been to combine the intelligence authorization and appropriations process. I am here today to offer

some amendments that would effect that coordination.

I join with my other colleagues who have indicated they refuse to acquiesce in a UC agreement until such time as we can work out a reasonable accommodation. I want to see this bill passed. Obviously, it is critically important, but so is stopping the waste of billions of dollars and improving the operations of the intelligence community. It is a mistake, and I cannot agree to a UC agreement until we have had some resolution of these questions.

It is certainly no surprise to the occupant of the chair, who is a valued member of both the Defense authorization committee and the Intelligence Committee, that the intelligence community has been without essential oversight as ordinarily provided in the authorization process.

Our efforts in the Intelligence Committee to have a bill signed into law last year were derailed by partisan provisions that ultimately resulted in a Presidential veto. The same poison pills were put into this year's intelligence authorization bill. So it will not move forward. As vice chairman of the Intelligence Committee, I believe it is time to take partisan games out of the intelligence oversight. I believe it is high time to return to congressional oversight of intelligence activities by the executive branch.

It is ironic that some of my colleagues have been so vocal, and at times biting, in their criticism of the administration's intelligence spending programs. Yet when we now have the opportunity to seek congressional oversight over them, they seek to deny us the opportunity to do so. It is almost as if some would rather have a reason to criticize the system rather than the opportunity to fix it.

I am here today to ask for the opportunity to begin to fix it. So I filed these amendments—good, sound provisions that have good bipartisan support and I believe will improve not only our oversight but the work of the Intelligence Committee.

Each one of these amendments was included in the Intelligence Committee's 2009 authorization bill, and almost all were part of the 2008 bill. So there are no surprises here.

First among them is amendment No. 5387 that authorizes funds for the intelligence community's budget. How much more fundamental can we get? That sets out the parameters for the intelligence community, just as the overall Armed Services Committee bill sets out parameters for appropriations by the Defense Appropriations Subcommittee on defense issues.

The first amendment combines five sections from the Intelligence Committee's 2009 authorization act and authorizes different types of funding for the intelligence community—the National Intelligence Program funds, funding of the intelligence community management account, and funding the CIA's disability and retirement accounts.